

AMENDED IN SENATE JULY 14, 2009

AMENDED IN SENATE JUNE 29, 2009

AMENDED IN ASSEMBLY JUNE 1, 2009

AMENDED IN ASSEMBLY APRIL 14, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1243

Introduced by Assembly Member Bonnie Lowenthal

February 27, 2009

An act to add and repeal Section 34503.5 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1243, as amended, Bonnie Lowenthal. Strategic Area Freeway Enforcement Task Force.

Existing law requires the Department of the California Highway Patrol to adopt reasonable rules and regulations that, in the judgment of the department, are designed to promote the safe operation of specified commercial vehicles, regarding, among other things, inspection and maintenance of vehicles and to adopt procedures for the enforcement of these rules and regulations.

This bill would, until January 1, 2012, establish the Strategic Area Freeway Enforcement Task Force in the Business, Transportation and Housing Agency to develop a work program that will optimize the effectiveness and efficiencies of the commercial vehicle enforcement network in—~~Southeast~~ *southeast* Los Angeles County through a multiagency collaborative effort focused on addressing ongoing

commercial vehicle enforcement issues and to recognize the potential benefits from specified technologies.

The bill would require the task force to report annually, on or before December 31 of each year, to the Governor, the Business, Transportation and Housing Agency, and the Assembly Committee on Transportation and the Senate Committee on Transportation and Housing on the progress made towards implementation of the recommendations developed to improve commercial vehicle enforcement in ~~Southeast~~ *southeast* Los Angeles County pursuant to a specified list of 12 objectives, that include, among other things, review of Vehicle Dimension-in-Motion (VDIM) and Automated Vehicle Identification (AVI) devices as a legal enforcement tool.

The bill would require that the task force consist of 4 specified members, that the members of the task force serve without compensation, and that no state funds be used to compensate the members for expenses incurred in the performance of their official duties. The bill would also provide that the task force would not be required to implement the provisions of the bill except to the extent that nonstate funds are available for that purpose.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 34503.5 is added to the Vehicle Code,
2 to read:
3 34503.5. (a) There is hereby established in the Business,
4 Transportation and Housing Agency the Strategic Area Freeway
5 Enforcement Task Force, which shall be convened on or before
6 April 1, 2010. The goal of the task force is to develop a work
7 program that will optimize the effectiveness and efficiencies of
8 the commercial vehicle enforcement network in ~~Southeast~~
9 *southeast* Los Angeles County through a multiagency collaborative
10 effort focused on addressing ongoing commercial vehicle
11 enforcement issues and to recognize the potential benefits from
12 emerging technologies. The activities of the task force are intended
13 to contribute to maintaining the state's strategic advantage through
14 improved decisionmaking and prudent and adequate investment.
15 (b) The task force shall report annually on or before December
16 31 of each year to the Governor, the Business, Transportation and

1 Housing Agency, and the Assembly Committee on Transportation
2 and the Senate Committee on Transportation and Housing on the
3 progress made toward implementation of the recommendations
4 developed to improve the commercial vehicle enforcement in
5 ~~Southeast~~ *southeast* Los Angeles County pursuant to the objectives
6 set forth in subdivision (f).

7 (c) The task force shall consist of four members. The Secretary
8 of Business, Transportation and Housing shall appoint one member
9 each from nominations provided by the Gateway Cities Council
10 of Governments (COG), the Director of Transportation (Caltrans),
11 the Los Angeles County Metropolitan Transportation Authority,
12 and the Commissioner of the California Highway Patrol (CHP).
13 The Secretary of Business, Transportation and Housing shall
14 designate a chair and vice chair.

15 (d) Members of the task force shall serve without compensation,
16 and no state funds may be used to compensate the members for
17 expenses incurred in the performance of their official duties.

18 (e) The task force shall be responsible for development of a
19 work program and coordinating efforts of the participating agencies
20 in implementation efforts *of the work program*. The task force
21 shall from time to time consult stakeholders affected by the work
22 plans as they are developed. The stakeholders should include, at
23 a minimum, representatives from trucking organizations, labor
24 organizations, businesses engaged in commercial vehicle
25 operations, and the San Pedro Bay Ports.

26 (f) The task force shall consider the following activities, which
27 address areas to be emphasized, including, but not be limited to,
28 major policy issues related to commercial vehicle enforcement:

29 (1) Evaluate the current commercial vehicle fine structure and
30 the relative distribution of the resulting revenues.

31 (2) Evaluate the potential to standardize fine structure and
32 process.

33 (3) Make recommendations as to whether it is desirable to relate
34 the level of fines to the level of damage to infrastructure and the
35 risk of harm to people.

36 (4) Review current statutory authority for rerouting vehicles.

37 (5) Review role of transponders or other technology devices in
38 relation to registration of commercial vehicles.

39 (6) Review Weigh-in-Motion (WIM) devices as a legal
40 enforcement tool.

1 (7) Review Vehicle Dimension-in-Motion (VDIM) devices as
2 a legal enforcement tool.

3 (8) Review Automated Vehicle Identification (AVI) devices as
4 a legal enforcement tool.

5 (9) Review Automated Driver Identification (ADI) devices as
6 a legal enforcement tool.

7 (10) Review Automated Load Identification (ALI) devices as
8 a legal enforcement tool.

9 (11) Evaluate the siting of truck enforcement facilities in
10 ~~Southeast~~ *southeast* Los Angeles County.

11 (12) Evaluate the advantages and disadvantages in the
12 development of automated systems for truck enforcement and
13 inspection for ~~Southeast~~ *southeast* Los Angeles County.

14 (g) The task force shall provide a summary of its
15 recommendations regarding all action items to each member agency
16 prior to submitting the annual report required pursuant to
17 subdivision (b).

18 (h) Initial tasks for the task force shall be the development of a
19 work program that results in the development of a series of specific
20 targeted actions in conformance with each of the following four
21 major action steps to address the areas to be emphasized as
22 specified in subdivision (f):

23 (1) Convening participants.

24 (2) Gathering and analyzing relevant data.

25 (3) Brainstorming of actions.

26 (4) Refinement of actions.

27 (i) The task force shall not be required to implement the
28 provisions of this section except to the extent that nonstate funds
29 are available to the task force for that purpose.

30 (j) This section shall remain in effect only until January 1, 2012,
31 and as of that date is repealed, unless a later enacted statute, that
32 is enacted before January 1, 2012, deletes or extends that date.